

Application No. 10/696,281
Amendment dated June 8, 2007
Reply to Office Action of March 8, 2007

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Fig. 10. This sheet, which includes Fig. 10, replaces the original sheet including Fig. 10.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

Status Of Application

Claims 1-13 are pending in the application; the status of the claims is as follows:

Claims 1-4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps.

Claims 6 and 8 are objected to because of informalities.

Claims 11-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,965,400 B1 to Haba et al. ("Haba") in view of U.S. Patent No. 6,816,288 B1 to Hashizume ("Hashizume").

Claims 5-10 are allowed (given that the informalities of claims 6 and 8 are corrected).

Claims 1-4 would be allowable if rewritten or amended to overcome the rejections(s) under 35 U.S.C. § 112, second paragraph, set forth in this Office Action

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received, is noted with appreciation.

Drawings

The indication, in the Office Action, that the Examiner has no objections to the drawings filed on October 29, 2003, is noted with appreciation. A Formal Replacement

Drawing for Fig. 10 is being submitted herewith to correct the misspelling of CHANGEABLE in S1.

Claim Amendments

Claims 1, 6 and 8 have been amended to correct informalities. These changes are not necessitated by the prior art, are unrelated to the patentability of the invention over the prior art, and do not introduce any new matter.

35 U.S.C. § 112 Rejections

The rejection of claims 1-4 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, is respectfully traversed based on the following.

Claim 1 has been amended to correct the informalities cited in the Office Action. Claims 2-4 are dependent upon claim 1 and are only objected to because of the informalities of claim 1. Accordingly, it is respectfully requested that the rejection of claims 1-4 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejection

The rejection of claims 11-13 under 35 U.S.C. § 103(a), as being unpatentable over Haba in view of Hashizume, is respectfully traversed based on the following.

Haba described a image pick-up and video input apparatus including the capability to control a pan and tilt operation using a tripod head. A control screen for controlling the tripod head is shown in Figure 15. The screen of Figure 15 shows control of two tripod heads, one remote and the other local. External power is available to the local tripod head section 1200, but is not available to the remote local tripod head section 1200 (column 18,

lines 53-56). Because external power is available to the local tripod head, diagonal and high speed operation are available (column 18, lines 56-61). However, because external power is not available to the remote tripod head, diagonal operation is not allowed and only low speed operation is allowed (column 18, line 64 – column 19, line 4). Haba does not show or suggest any control related to resonance. In addition, Haba does not show or suggest different operational speeds for a single tripod head.

Hashizume describes resonant frequency in a stepper motor 1 (column 6, lines 11-34). Resonance of the stepper motor is avoided by using optimal step angles in a random manner rather than simply using smaller step angles (column 6, lines 55-62).

In contrast to the cited references, claim 11 includes:

an instructor for instructing a designated amount of change in said relative angle for attaining a designated change in an image capturing direction,

wherein said controller is operable to attain said designated amount of change in said relative angle with a combination of:

a) a first control time period in which said controller controls said first and second drivers on the basis of first and second drive speed control values, respectively, and

b) a second control time period following said first time period in which said controller controls said first and second drivers while stopping one of said first and second drivers,

wherein said first and second drive speed control values are determined out of a structural resonance range of said image capturing apparatus.

The cited references do not show or suggest “instructing a designated amount of change” where the “controller is operable to attain said designated amount of change” using “a combination of ... a first control time period ... and ... a second control time period.” The only controls available in Haba apply a designated speed to the tripod head for as long as a specific panning command is applied using the screen of Figure 15. No “designated amount of change” is suggested in either Haba or Hashizume, much less a controller that uses at least two time periods with differing characteristics to achieve that “designate amount of change.” To support a *prima facie* case for obviousness, the combined references must show or suggest

every limitation of the claim. MPEP §2143.03. Therefore, the claim 11 is not obvious over the cited references and is patentably distinct from the prior art. Claims 12 and 13 are dependent upon claim 11, and thus include every limitation of claim 11. Therefore, claims 12 and 13 are also not obvious over the cited references and are patentably distinct from the prior art.

Accordingly, it is respectfully requested that the rejection of claims 11-13 under 35 U.S.C. § 103(a) as being unpatentable over Haba et al. in view of Hashizume, reconsidered and withdrawn

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin LLP Deposit Account No. 18-1260.


Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin LLP Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Application No. 10/696,281
Amendment dated June 8, 2007
Reply to Office Action of March 8, 2007

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin LLP Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 
Douglas A. Sorensen
Registration No. 31,570
Attorney for Applicants

DAS/lbb:bar
SIDLEY AUSTIN LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3482
Main: (214) 981-3300
Facsimile: (214) 981-3400
June 8, 2007



F I G . 1 0

